

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
PECOS DIVISION**

**UNITED STATES OF AMERICA,** §  
§  
**Plaintiff,** §  
§  
v. § **P-20-CR-388-DC**  
§  
**THOMAS SCOTT PERKINS,** §  
§  
**Defendant.** §  
§

**GOVERNMENT'S NOTICE OF INTENT TO USE BUSINESS RECORDS**

Comes now the United States of America, by and through the United States Attorney for the Western District of Texas, and files this Notice of Intent Informing the Court, and all parties involved, of the Government's intent to introduce into evidence business records, at the trial of the above-named Defendant, through a Self-Proving Affidavit, and would respectfully show the Court the following.

Pursuant to the requisites of Federal Rule of Evidence 803(6), it is the Government's intention to introduce into evidence business records obtained from the Department of Homeland Security, specifically, TDS subscriber information records. These records were kept by an employee for the aforementioned business in his or her regular conducted course of business activity.

Pursuant to the requisites of Federal Rule of Evidence 902(11), the records will be introduced through a Self-Proving Affidavit from the Custodian of Records and/or an employee of that company having produced, maintained and/or kept the records in his or her regular course of business and in his or her capacity as an employee of that company. A copy of the affidavit will be made available to the defense.

Respectfully submitted,

ASHLEY C. HOFF  
UNITED STATES ATTORNEY

By: /s/ Kevin R. Cayton  
Kevin R. Cayton  
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of July, 2022, a copy of the foregoing instrument was electronically filed with the Clerk of the Court using the CM/ECF System which will transmit notification of such filing to the following CM/ECF participant:

Counsel for the Defendant:  
Elyse M Bataller-Schneider, Christopher J. Carlin, and Michael F. Gorman

/s/ Kevin R. Cayton  
Kevin R. Cayton  
Assistant United States Attorney